Before theFEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

In the Matter of 2002 Biennial Regulatory Review - Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, Notice of Proposed Rulemaking,
MM Docket No. 02-277, (rel. Sept. 23, 2002)

To: The Secretary, FCC Commisioners, and Chief, Media Bureau

I write regarding Docket No. 02-277, the Biennial Review of the FCC's broadcast media ownership rules.

Decision makers are naturally faced with enormous pressure and influence wielded by those with everything to gain by deregulation. Your job is to also consider those voices who have not already got lobbyists, campaign coffers and substantial control of the air. Please consider the voices that have little at stake economically, but an enormous stake politically and culturally.

Our airwaves provide to our citizenry the sole free and open means of mass communication, this is a key to an effective and informed democracy. Please preserve this dwindling resource, preserve its diversity and our public access to it.

Please conduct the public hearings in Virginia in February, 2003, and conduct more hearings all around the country. The decision makers need to hear voices from people other than those with millions to gain. While companies may lose some profits in a regulated environment, that is nothing compared to citizens losing their voice in a democracy.

With regard to allowing further consolidation of media ownership: Is there any benefit other than that it will enable even more profitable commercial exploitation of the airwaves? is there some altruistic motive, some larger public good that will inure, even as further deregulation leads to fewer locally owned and community-based media outlets? If so, it has not been sufficiently articulated to compensate for the inevitable loss of independence, access and variety of voice on the public air.

Do not assume that other emerging media will fill the public access and diversity gaps left by the ever-massing radio and TV conglomerates. Privately-owned phone lines, satellites and cans-with- string are a poor and vulnerable substitute for the virtually free-to-access airwaves. Please act to protect public access and diversity of voice on our air, do not relax protections against media concentration.

I am a member of the audience for commercial, community and public radio and television. I have no financial stake in any media, I have only my stake as a citizen to protect. I seek your assistance.

Thanks for your work and your consideration.

Sincerely,

David R. Fertig

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